

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GREATER ST. LOUIS CONSTRUCTION)	
LABORERS WELFARE FUND, et al.,)	
)	
Plaintiffs,)	Case No. 4:07CV00219 CDP
)	
v.)	
)	
MILLER CONTRACTING SERVICES, INC.,)	
)	
Defendant.)	

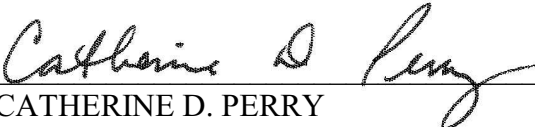
MEMORANDUM AND ORDER

On April 17, 2007 the parties entered into a consent judgment. The consent judgment required defendant to make monetary payments and procure a surety bond in favor of plaintiffs in the amount of \$25,000. While the monetary aspect of the consent judgment has been satisfied, defendant has failed to procure the surety bond. Because they have no adequate remedies at law, plaintiffs are entitled to specific performance of defendant's obligation to obtain a surety bond. Moreover, plaintiffs are entitled to a permanent injunction pursuant to 29 U.S.C. §1132(g)(2)(E) prohibiting defendant from performing laborers' work within the jurisdiction of Laborers Locals 42-53-110 until the surety bond is procured.

IT IS HEREBY ORDERED that plaintiff's motion to enforce consent judgment [#28] is granted.

IT IS FURTHER ORDERED that the defendant shall procure and maintain a surety bond as required by the collective bargaining agreement.

IT IS FURTHER ORDERED that defendant is enjoined from performing any work within the geographical jurisdiction of Laborers Locals 42-53-110 until the surety bond required by the collective bargaining agreement is obtained.


CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 19th day of December, 2007.